

## 1 SENATE BILL NO. 95

2 INTRODUCED BY A. BISHOP

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REPEALING THE REQUIREMENT THAT A PERSON OBTAIN A  
5 LANDOWNER'S PERMISSION BEFORE HUNTING ON PRIVATE PROPERTY; REPEALING SECTION  
6 87-3-304, MCA; AND PROVIDING AN EFFECTIVE DATE."

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8 WHEREAS, the 1999 amendment to section 87-3-304, MCA, which required a landowner's  
9 permission before any hunting may be conducted on private property, has led to confusion in the field  
10 because of the lack of clearly marked property boundaries, increased closures of private property for  
11 hunting purposes, and increased ill will between hunters and landowners; and

12 WHEREAS, present criminal trespass laws provide that private property that is legally posted is  
13 considered closed to public access unless explicit permission to enter is given by the landowner or the  
14 landowner's authorized agent, which provides sufficient protection to a landowner from trespass on private  
15 property for hunting or any other purpose.

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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19 NEW SECTION. **Section 1. Repealer.** Section 87-3-304, MCA, is repealed.

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21 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2001.

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